

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed December 27, 2006. Claims 1-58 are pending in the application. Claims 1-10, 13-38, 40-52, and 54-58 stand rejected, and Claims 11, 12, 39 and 53 are objected to. Applicants amend Claims 1, 11, 12, 30, 39, 50, 53, and 57 and respectfully request reconsideration and favorable action in this case.

Section 102 Rejections

The Office Action rejects Claims 1-5, 7-10, 13-20, 22-34, 36-38, 40-44, 46-52, and 54-58 under 35 U.S.C. §102(b), as being anticipated by U.S. Patent No. 6,272,347B1 issued to Griffith et al ("*Griffith*"). Applicants respectfully traverse these rejections.

Amended Claim 1 is directed to a method for distributing calls of an automatic call distributor system. The method includes determining location information for a plurality of agents at a call center. A request for connection with one of the agents is routed to one of the agents based at least in part on the location information. The request is one of a plurality of requests received from a plurality of callers, wherein the requests are placed in a queue.

Applicants respectfully submit that *Griffith* does not disclose, teach, or suggest each of the limitations of Claim 1. *Griffith* discloses a telecommunication switching system wherein a "customer's call is transferred to attendant position 119." (*Griffith*, col. 3, lines 21-22). The "attendant position 119 interrogates the customer to determine what department can assist them and also the level of skill that is required by the employee within the determined department." (*Griffith*, col. 3, lines 23-26). *Griffith* does not disclose, teach, or suggest routing a request for connection with one of the agents to one of the agents based at least in part on the location information, the request being one of a plurality of requests received from a plurality of callers, wherein the requests are placed in a queue.

For at least these reasons, Applicants respectfully contend that *Griffith* does not disclose, teach, or suggest each of the limitations of Claim 1, and therefore the rejection of Claim 1 should be withdrawn.

Claims 2-5 and 7-15 each depend, either directly or indirectly, from Claim 1 and incorporate all the limitations thereof. Therefore, Claims 2-5 and 7-15 are each patentably

distinguishable from *Griffith* for at least the same reasons as discussed above with regard to Claim 1.

Amended Claims 30, 50, and 57 each include limitations generally directed to routing a request for connection with one of the agents to one of the agents based at least in part on the location information, the request being one of a plurality of requests received from a plurality of callers, wherein the requests are placed in a queue. Accordingly, Applicants contend that Claims 30, 50, and 57 are each patentably distinguishable from *Griffith* for at least the same reasons as discussed above with regard to Claim 1.

Claims 31-34 and 36-39 each depend from Claim 30 and incorporate all the limitations thereof. Claims 51-53 each depend from Claim 50 and incorporate all the limitations thereof. Therefore, Claims 31-34, 36-39, and 51-53 are each patentably distinguishable from *Griffith* for at least the same reasons as discussed above with regard to their respective base claims.

Claim 16 is directed to a method for managing agents in a call center. The method includes determining location information for a plurality of agents in a call center. In response to at least one request for connection with one of the agents, a message is communicated to at least one of the agents requesting the at least one agent to move to a new location.

The Office Action rejects Claim 16 and contends that each limitation of Claim 16 is disclosed by *Griffith*. Applicants respectfully disagree. The cited portions of *Griffith* disclose “the user of wireless handset 113 then walks into the area 116 in order to assist the customer.” (*Griffith*, col. 3, lines 37-38). *Griffith* further discloses a system controller that directs the agent to the appropriate physical location of the customer when the customer goes off hook on a wired telephone handset located in the retail store. (*Griffith*, col. 3, lines 44-60). Accordingly, *Griffith* does not disclose, teach, or suggest communicating a message to at least one of the agents requesting the at least one agent to move to a new location, in response to at least one request for connection with one of the agents. Rather, *Griffith* discloses an agent being directed to move to a new location in response to a wired telephone being picked up by a customer. Furthermore, col. 3, lines 37-38 of *Griffith* disclose an agent walking into a new area after the call is connected to the agent. The agent is not directed to move to the new area in response to a request for connection with an agent.

For at least these reasons, Applicants respectfully contend that *Griffith* does not disclose, teach, or suggest each of the limitations of Claim 16, and therefore the rejection of Claim 16 should be withdrawn.

Claims 17-20 and 22-29 each depend, either directly or indirectly, from Claim 16 and incorporate all the limitations thereof. Therefore, Claims 17-20 and 22-29 are each patentably distinguishable from *Griffith* for at least the same reasons as discussed above with regard to Claim 16.

Claims 40, 54, and 58 each include limitations generally directed to communicating a message to at least one of the agents requesting the at least one agent to move to a new location, in response to at least one request for connection with one of the agents. Accordingly, Applicants contend that Claims 40, 54, and 58 are each patentably distinguishable from *Griffith* for at least the same reasons as discussed above with regard to Claim 16.

Claims 41-44 and 46-49 each depend from Claim 40 and incorporate all the limitations thereof. Claims 55-56 each depend from Claim 54 and incorporate all the limitations thereof. Therefore, Claims 41-44, 46-49, and 55-56 are each patentably distinguishable from *Griffith* for at least the same reasons as discussed above with regard to their respective base claims.

Section 103 Rejections

The Office Action rejects Claims 6, 21, 35, and 45 under 35 U.S.C. §103(a), as being unpatentable over *Griffith* because “communication devices comprising IP telephones would only have been a matter of design choice.” (Office Action at par. 6). Applicants respectfully traverse these rejections.

At the outset, Applicants disagree with Examiner’s conclusion that wireless communication devices comprising Internet protocol (IP) telephones are merely an obvious design choice. Nevertheless, Claims 6, 21, 35, and 45 each depend from Claims 1, 16, 30, and 40 respectively, and incorporate all the respective limitations thereof. In rejecting these claims, the Office Action relies on *Griffith* as disclosing each of the limitations of their respective base claims. As discussed above, *Griffith* does not disclose, teach, or suggest each of the limitations of Claims 1, 16, 30, and 40. Therefore, Applicants contend that Claims 6,

21, 35, and 45 are allowable for at least the same reasons as discussed above with regard to their respective base claims.

Allowable Subject Matter

Applicants appreciate Examiner's consideration and indication that Claims 11, 12, 39, and 53 would be allowable if rewritten in independent form including all of the limitations of their respective base claims and any intervening claims. In light of the remarks presented above, Applicants respectfully contend that Claims 11, 12, 39, and 53 are in condition for allowance, as written.

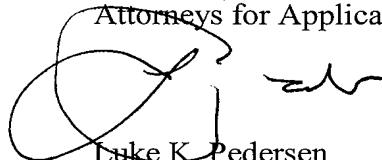
CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other apparent reasons, Applicants respectfully request full allowance of all pending Claims. If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stands ready to conduct such a conference at the convenience of the Examiner.

No fee is believed to be due. The Commissioner is hereby authorized to charge any other fees or credit any overpayments to Deposit Account No. **02-0384** of **Baker Botts L.L.P.**

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicants

A handwritten signature in black ink, appearing to read 'Luke K. Pedersen', is written over the printed name.

Luke K. Pedersen
Reg. No. 45,003
PHONE: (214) 953-6655

Date: March 19, 2007

CORRESPONDENCE ADDRESS:

Customer Number: **05073**
Attorney Docket No.: 062891.1234